

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

NEIL STAMPER,

Plaintiff,

v.

LASSEN COUNTY ADULT DETENTION
FACILITY, et al.,

Defendants.

No. 2:20-cv-1251 AC P

ORDER

Plaintiff filed a complaint seeking relief under 42 U.S.C. § 1983, and an application to proceed in forma pauperis, both while incarcerated in Lassen County. The case was referred to the undersigned magistrate judge by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1). On August 6, 2020, plaintiff filed a change of address notice which indicates that he been released from custody. ECF No. 5. Because different forms and procedures apply to prisoners and non-prisoners seeking to proceed in forma pauperis, plaintiff will be required to submit a new application.

Upon release, a former prisoner must be allowed to apply to proceed under general in forma pauperis provisions of 28 U.S.C. § 1915(a)(1). See DeBlasio v. Gilmore, 315 F.3d 396, 399 (4th Cir. 2003); see also Webb v. Lambert, No. CV 12-00041-H-DLC, 2012 WL 5931889, at *1 (D. Mont. Aug. 29, 2012) (citing DeBlasio). A released prisoner may proceed in forma

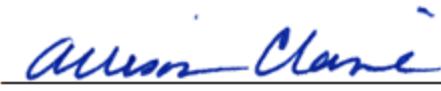
1 pauperis upon satisfying the poverty provisions applicable to non-prisoners. McGann v. Comm'r,
2 Soc. Sec. Admin., 96 F.3d 29, 30 (2d Cir. 1996).

3 A screening order will issue promptly upon receipt of plaintiff's new application to
4 proceed in forma pauperis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Clerk of Court shall send plaintiff a copy of the court's application to proceed in
7 forma pauperis for non-prisoners, and
8 2. Within thirty days of the date of this order, plaintiff must complete and file the non-
9 prisoner in forma pauperis application in this court.

10 DATED: September 2, 2021

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE

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